

5780-D

LAW OFFICES  
ALVORD AND ALVORD

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ELLSWORTH C. ALVORD (1964)

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CHARLES T. KAPPLER  
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MILTON C. GRACE \*  
GEORGE JOHN KETO \*\*  
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\*\* ALSO A MEMBER OF OHIO BAR

200 WORLD CENTER BUILDING

918 SIXTEENTH STREET, N.W.

WASHINGTON, D.C.

20006

July 28, 1980

OF COUNSEL  
JESS LARSON  
URBAN A. LESTER

CABLE ADDRESS  
"ALVORD"

TELEPHONE  
AREA CODE 202  
393-2266

TELEX  
440348 CDAA UI

No.

43

Date JUL 28 1980

Fee \$ 16.00

ICC Washington, D. C.

Agatha L. Mergenovich, Secretary  
Interstate Commerce Commission  
Washington, D.C. 20434

Dear Madam:

Enclosed for recordation under the provisions of 49 U.S.C. §11303(a) are six counterparts of a Release and Reassignment dated as of July 1, 1980 executed by The First National Bank of Mobile ("Document").

The Document pertains to a Conditional Sale Agreement dated as of July 1, 1970 between Pullman Incorporated (Pullman-Standard division) and Gulf, Mobile and Ohio Railroad Company (to which Illinois Central Gulf Railroad Company is successor in interest); and an Agreement and Assignment dated as of July 1, 1970 between Pullman Incorporated (Pullman-Standard division) and The First National Bank of Mobile, Assignee, which were duly filed and recorded on July 15, 1970 under Recordation Number 5780.

A general description of the railroad equipment covered by the Document is set forth in the attached Schedule "A".

The undersigned is agent for the Illinois Central Gulf Railroad Company for the purpose of submitting the Document for recordation and has knowledge of the matters set forth therein.

Please return the counterparts of the Document not needed for recordation purposes to the undersigned.

Also enclosed is a check in the amount of \$10.00 payable to the order of the Interstate Commerce Commission covering the required recordation fees.

Very truly yours,

ALVORD AND ALVORD

By Charles T. Kappler  
Charles T. Kappler

*Charles T. Kappler*

SCHEDULE "A"  
TO RELEASE AND ASSIGNMENT  
Dated as of July 1, 1980

UNDER

GULF, MOBILE AND OHIO RAILROAD  
CONDITIONAL SALE AGREEMENT  
Dated as of July 1, 1970

DESCRIPTION OF EQUIPMENT

100-ton Covered Hopper Cars numbered as follows:

<u>ROAD INITIAL</u>	<u>FROM CAR #</u>	<u>THRU CAR #</u>	<u>OLD NUMBER</u>
GMO	81051	81051	
GMO	81053	81053	
GMO	81057	81057	
GMO	81060	81060	
GMO	81062	81062	
GMO	81064	81067	
GMO	81070	81070	
GMO	81073	81090	
GMO	81092	81093	
GMO	81095	81096	
GMO	81098	81098	
GMO	81100	81100	
GMO	81102	81103	
GMO	81106	81113	
GMO	81115	81117	
GMO	81119	81123	
GMO	81125	81143	
GMO	81146	81149	
ICG	765600	765600	GMO081050
ICG	765608	765608	GMO081058
ICG	765609	765609	GMO081059
ICG	765619	765619	GMO081069
ICG	765644	765644	GMO081094
ICG	765654	765654	GMO081104
ICG	765668	765668	GMO081118
ICG	765674	765674	GMO081124
ICG	765695	765695	GMO081145

83-ton Open Hopper Cars numbered as follows:

ICG 340572-340575, inclusive

**Interstate Commerce Commission**  
Washington, D.C. 20423

7/28/80

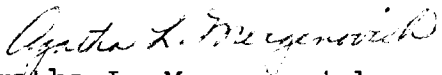
OFFICE OF THE SECRETARY

**Charles T. Kappler, Esq.**  
**Alvord & Alvord**  
**200 World Center Building**  
**Washington, D.C. 20006**

Dear Sir:

The enclosed document(s) was recorded pursuant to the provisions of Section 11303 of the Interstate Commerce Act, 49 U.S.C. 11303, on **7/28/80** at **1:50pm**, and assigned re-  
recording number(s). **5780-D**

Sincerely yours,

  
Agatha L. Mergenovich  
Secretary

Enclosure(s)

SE-30  
(7/79)

5780-1

GULF, MOBILE AND OHIO RAILROAD  
CONDITIONAL SALE AGREEMENT

Dated as of July 1, 1970

RECORDATION NO. 5780-19 Filed 1425

JUL 28 1980 1 50 PM

INTERSTATE COMMERCE COMMISSION

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RELEASE  
AND  
ASSIGNMENT

Dated as of July 1, 1980

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BETWEEN

THE FIRST NATIONAL BANK OF MOBILE,  
Assignee

and

ILLINOIS CENTRAL GULF RAILROAD COMPANY  
(successor in interest to  
Gulf, Mobile and Ohio Railroad Company)

R E L E A S E  
AND  
A S S I G N M E N T

KNOW ALL MEN BY THESE PRESENTS, that:

WHEREAS, heretofore on the 1st day of July, 1970, a Conditional Sale Agreement was entered into by and between Pullman Incorporated (Pullman-Standard division) (hereinafter called the "Vendor"), and GULF, MOBILE AND OHIO RAILROAD COMPANY, to which ILLINOIS CENTRAL GULF RAILROAD COMPANY is the successor in interest (either of said companies being hereinafter referred to as the "Railroad Company"), and on the same day an Agreement and Assignment was entered into by and between the Vendor and The First National Bank of Mobile (hereinafter called the "Assignee") and said Conditional Sale Agreement and said Agreement and Assignment were supplemented by a Supplement dated as of March 10, 1980 (said Agreements and Supplement being hereinafter collectively referred to as the "Agreement"); and

WHEREAS, the Agreement was duly recorded with the Interstate Commerce Commission under Recordation Numbers 5780 and 5780-B, respectively; and

WHEREAS, in said Agreement for a consideration therein named and upon certain conditions therein set forth, the Vendor sold to the Railroad Company certain railroad equipment therein more particularly described but retained title thereto for the term in the Agreement provided and concurrently assigned its rights to the Assignee; and

WHEREAS, by the terms of the Agreement it was agreed that at the termination thereof, and after all the payments required thereby should have been completed and fully made by the Railroad Company to the Assignee, title to the railroad equipment thereby conditionally sold should pass to and vest in the Railroad Company, or its nominee or nominees, and said railroad equipment should thereupon be and become the absolute property of the Railroad Company, or its nominee or nominees; and

WHEREAS, the said Railroad Company has completed all of said payments and has paid the full indebtedness in respect of the purchase price of the said railroad equipment, as covenanted and agreed in the Agreement, and has fully performed all the conditions and covenants therein set forth, and desires that the said railroad equipment now be released, assigned and transferred:

NOW, THEREFORE, The First National Bank of Mobile, for and in consideration of the premises, and the sum of One Dollar (\$1.00), good and lawful money of the United States, to it in hand paid by said Railroad Company at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has released, assigned and transferred and by these presents does release, assign and transfer unto ILLINOIS CENTRAL GULF RAILROAD COMPANY, and its successors and assigns, the following railroad equipment mentioned and described in the Agreement and more particularly described in the attached Schedule A.

The Assignee makes no warranties of any kind hereby and shall not be held liable to the Railroad Company, its successors and assigns, for any cause whatsoever because of the execution hereof.

This Release and Assignment is being simultaneously executed in a number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, THE FIRST NATIONAL BANK OF MOBILE has caused these presents to be signed in its corporate name, and its corporate seal, duly attested, to be hereunto affixed this 25 day of July, A. D. 1980.

THE FIRST NATIONAL BANK OF MOBILE

By: *[Signature]*

ATTEST:

*John C. [Signature]*

STATE OF ALABAMA       )  
                              ) SS  
COUNTY OF MOBILE       )

On the 25 day of July, 1980,  
before me personally came Harry N. Harrison, Jr. to  
me known, who being by me duly sworn, says that he is  
Vice President of THE FIRST NATIONAL BANK  
OF MOBILE; that one of the seals affixed to the foregoing  
instrument is the corporate seal of said corporation; that  
said instrument was signed and sealed on behalf of said  
corporation by authority of its Board of Directors, and he  
acknowledged that the execution of the foregoing instrument  
was the free act and deed of said corporation.

Kathy L. Kendrick  
Notary Public

My Commission expires

10/15/83



SCHEDULE "A"  
TO RELEASE AND ASSIGNMENT  
Dated as of July 1, 1980

UNDER

GULF, MOBILE AND OHIO RAILROAD  
CONDITIONAL SALE AGREEMENT  
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ICG	765644	765644	GM0081094
ICG	765654	765654	GM0081104
ICG	765668	765668	GM0081118
ICG	765674	765674	GM0081124
ICG	765695	765695	GM0081145

83-ton Open Hopper Cars numbered as follows:

ICG 340572-340575, inclusive